

09/896,187MS164185.01/MSFTP215US**REMARKS**

Claims 1-16, 20, 21, 29 and 55 are pending in the subject application and are presently under consideration.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-3, 12-15, 20-21 and 29 Under 35 U.S.C. §103(a)

Claims 1-3, 12-15, 20-21 and 29 stand rejected under 35 U.S.C. §103(a) as being obvious over Horvitz, *et al.* (U.S. 6,021,403). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Horvitz, *et al.* does not teach or suggest each and every feature of applicants' claimed invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See MPEP §706.02(j).* The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The subject invention relates to providing a system for inferring information goals and preferred levels of detail of an answer based upon user input and extrinsic data. For example, applicants' claimed invention can produce an executive summary for an answer to a query based on the user being a CEO within the organization. In particular, claim 1 (and similarly claim 29) recites *the inference engine further inferring one or more preferred levels of detail for an answer based at least on one of an inferred age of a user, a physical location of a user, an organizational location of a user, one or more relationships in which the user is engaged, and an application being employed by the user.*

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As conceded in the Office Action, Horvitz, *et al.* does not teach the aforementioned novel aspects of applicants' invention as recited in the subject claim. The cited reference teaches an intelligent user assistance system that infers when and what type of help a user needs by analyzing queries and monitoring user actions. The Office Action contends that it would have been obvious that the profile of Horvitz, *et al.* contain organizational information and relationships of a user. However, the cited reference discloses that the profile contains user background information with respect to user experience and competency of software applications, and does not discuss organizational structure and user relationships. It appears the Examiner is impermissibly employing 20/20 hindsight based reasoning (employing applicants' specification as a roadmap) to formulate an obviousness-based rejection using the cited reference as well as reading into the reference that aforementioned in missing teachings relating to applicants' claimed invention. To the extent the Examiner is taking Official Notice with respect to the missing elements, applicants' representative requests that the Examiner cite a reference in support of such position pursuant to MPEP §2144.03 if the rejection of the independent claims is maintained.

In view of at least the foregoing, applicants' representative respectfully submits that Horvitz, *et al.* fails to teach or suggest all limitations of applicants' invention as recited in independent claims 1 and 29 (and claims 2-3, 12-15, 20-21 that depend there from), and thus fails to make obvious the claimed invention. This rejection should be withdrawn.

II. Rejection of Claims 4-11 and 55 Under 35 U.S.C. §103(a)

Claims 4-11 and 55 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz, *et al.* (U.S. 6,021,403) in view of Hobson, *et al.* (U.S. 5,694,559). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Horvitz, *et al.* in view of Hobson, *et al.* does not teach or suggest each and every limitation of applicants' claimed invention.

Independent claim 55 recites similar limitations as independent claims 1 and 29, and claims 4-11 depend from independent claim 1. Hobson, *et al.* does not make up for the deficiencies of Horvitz, *et al.* discussed *supra* with respect to these independent claims. Hobson, *et al.* teaches an online help system that utilizes a partial analysis on a free text query to quickly provide an increased probability of identifying help topics required by a user. However, Hobson,

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et al. does not teach or suggest inferring a preferred level of detail to provide in an answer based upon at least one of an inferred age of a user, a physical location of a user, an organizational location of a user, one or more relationships in which the user is engaged, and an application being employed by the user as in the claimed invention.

In view of at least the above, it is respectfully submitted that Horvitz, *et al.* and Hobson, *et al.*, alone or in combination, do not teach or suggest applicants' invention as recited in independent claims 1 and 55 (and claims 4-11 that depend there from). Accordingly, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 16 Under 35 U.S.C. §103(a)

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz, *et al.* (U.S. 6,021,403) in view of Weber (U.S. 6,499,013). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Horvitz, *et al.* in view of Weber does not teach or suggest each and every limitation of applicants' claimed invention.

Claim 16 depends from independent claim 1 and Weber does not make up for the deficiencies of Horvitz, *et al.* discussed *supra* with respect to independent claim 1. Weber teaches a user interface system that employs speech recognition and natural language processing to allow a user to interact with a computer. However, Weber does not teach or suggest inferring a preferred level of detail to provide in an answer based upon at least one of an inferred age of a user, a physical location of a user, an organizational location of a user, one or more relationships in which the user is engaged, and an application being employed by the user.

Horvitz, *et al.* and Weber, alone or in combination, do not teach or suggest applicants' invention as recited in independent claims 1 (and claim 16 which depends there from).

Withdrawal of this rejection is respectfully requested.

09/896,187MS164185.01/MSFTP215US**CONCLUSION**

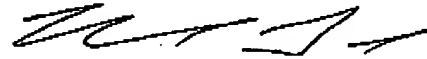
The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP215US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731